

REMARKS

Claims 1-40 are pending in the application; the status of the claims is as follows:

Claims 1-10, 14, 18, 20, 21-27, 30, 31, 34, and 36-40 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,442,714 B1 to Griffin et al ("Griffin").

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Griffin.

Claims 28, 29, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Griffin as applied to claim 27 above.

Claims 11-13, 16, 17, 19, 32, and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Claims 1, 20, 22, 25-27, 36, 37 and 39 have been amended to more clearly describe the invention. These changes do not introduce any new matter.

35 U.S.C. § 102(e) Rejection

The rejection of claims 1-10, 14, 18, 20, 21-27, 30, 31, 34, and 36-40 under 35 U.S.C. § 102(e) as being anticipated by Griffin, is respectfully traversed based on the following.

Griffin describes compliance testing as a traditionally time-consuming process, in which the tester must be able to compile voluminous testing data into a report without error. (Col. 1, lines 23-29). After testing is complete, preparation of a final report can take weeks. (Col. 1, lines 29-31). To automate the process of preparing final reports, Griffin discloses a centralized testing system in which users can use their web browsers to select a test, view and follow test procedures tailored for their equipment and their test,

upload results from the test into the relational database, automatically view those results, and create different types of final reports from those results. (Col. 1, lines 49-57). Thus, the system of Griffin is for preparing reports from results obtained by testing performed by a test engineer, not for diagnosing the presence or absence of a failure in equipment bought by a user or consumer. It is clear from the description in Griffin, that the test engineer manually runs tests, based on instructions provided by the testing system, and enters results into the system.

Claim 1 recites, *inter alia*,

a) receiving an inspection result automatically obtained by an inspection program by executing the inspection program on said electronic device on said customer's side; and

Thus, while Griffin provides a set of procedures for a test engineer to follow in performing testing, claim 1 requires that the inspection program be executed on the electronic device to automatically obtain an inspection result. Thus, claim 1 is considered to be allowable over Griffin. Claims 2-10, 14, and 18 depend from and contain all the limitations of claim 1. Thus, claims 2-10, 14 and 18 are allowable for at least the same reasons that claim 1 is allowable.

Claim 20 recites, *inter alia*,

a) receiving a computer-readable medium carrying an inspection result, said inspection result obtained by executing an inspection program on said electronic device on said customer's side; and

As discussed above, Griffin provides a set of procedures for a test engineer to follow in manually performing testing. In contrast, claim 20 requires that the inspection result be obtained by executing the inspection program on the electronic device. Thus, claim 20 is considered to be allowable over Griffin. Claim 21 depends from and contain

all the limitations of claim 20. Thus, claim 21 is allowable for at least the same reasons that claim 20 is allowable.

Claim 22 recites, *inter alia*,

a) receiving an inspection result through computer communication, said inspection result obtained automatically by an inspection program by executing the inspection program on said electronic device on said customer's side; and

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 22 requires that the inspection program be executed on the electronic device to automatically obtain an inspection result. Thus, claim 22 is considered to be allowable over Griffin. Claims 23 and 24 depend from and contain all the limitations of claim 22. Thus, claims 23 and 24 are allowable for at least the same reasons that claim 22 is allowable.

Claim 25 recites, *inter alia*,

wherein said inspection program is adapted for execution on said electronic device on said customer's side so as to obtain an inspection result automatically.

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 25 requires that the inspection program be adapted for execution on the electronic device so as to automatically obtain an inspection result. Thus, claim 25 is considered to be allowable over Griffin.

Claim 26 recites, *inter alia*,

wherein an inspection result is generated by execution of said inspection program on said electronic device on said customer's side under so as to obtain the inspection result automatically, and diagnosis of said electronic device is performed on the basis of said inspection result.

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 26 requires that the inspection program be executed on the electronic device so as to automatically obtain an inspection result. Thus, claim 26 is considered to be allowable over Griffin.

Claim 27 recites, *inter alia*,

a receiving circuit for receiving an inspection result obtained automatically by an inspection program by executing the inspection program on said electronic device on said customer's side; and

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 27 requires that the inspection program be executed on the electronic device to automatically obtain an inspection result. Thus, claim 27 is considered to be allowable over Griffin. Claims 30-31 and 34 depend from and contain all the limitations of claim 27. Thus, claims 30-31 and 34 are allowable for at least the same reasons that claim 27 is allowable.

Claim 36 recites, *inter alia*,

wherein said inspection program is adapted for execution on said electronic device on said customer's side so as to obtain an inspection result automatically.

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 36 requires that the inspection program be adapted for execution on the electronic device to automatically obtain an inspection result. Thus, claim 36 is considered to be allowable over Griffin.

Claim 37 recites, *inter alia*,

a) receiving an inspection result automatically obtained by an inspection program by executing the inspection program on said electronic device on said customer's side; and

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 37 requires that the inspection program be executed on the electronic device to automatically obtain an inspection result. Thus, claim 37 is considered to be allowable over Griffin. Claim 38 depends from and contains all the limitations of claim 37. Thus, claim 38 is allowable for at least the same reasons that claim 37 is allowable.

Claim 39 recites, *inter alia*,

wherein said inspection program is adapted for execution on said electronic device on said customer's side so as to obtain an inspection result automatically.

As discussed above, Griffin provides a set of procedures for a test engineer to follow in performing testing. In contrast, claim 39 requires that the inspection program be adapted for execution on the electronic device to automatically obtain an inspection result. Thus, claim 39 is considered to be allowable over Griffin. Claim 40 depends from and contains all the limitations of claim 39. Thus, claim 40 is allowable for at least the same reasons that claim 39 is allowable.

Accordingly, it is respectfully requested that the rejection of claims 1-10, 14, 18, 20, 21-27, 30, 31, 34, and 36-40 under 35 U.S.C. § 102(e) as being anticipated by Griffin, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Griffin, is respectfully traversed based on the following.

Claim 15 recites, *inter alia*,

- a) receiving an inspection result obtained by executing an inspection program on said electronic device on said customer's side; and
- b) obtaining a diagnosis result by diagnosing said electronic device on the basis of said inspection result, said diagnosis result including information which indicates a state selected from the group comprising:
 - a first state where said electronic device is normal;
 - a second state where said electronic device has trouble but needs no repair; and
 - a third state where said electronic device needs repair.

The Office Action states that "Griffin discloses the diagnostic result including information which indicates whether the electronic device needs repair or not," citing col. 1, lines 5-6 and 35-40. A review of the cited sections, however, shows that Griffin is directed to "testing covering product compliance," the testing being complicated by "today's fast-paced global market." Col. 1, lines 5-6 and 34-36. Griffin also discloses that "many products must meet standards in different countries, each requiring a separate report ... [s]hort product life-cycles make compliance testing delays costly, and place a demanding load on test personnel." Col. 1, lines 37-40

Thus, it is clear that Griffin is directed to test procedures to determine whether a device complies with the standards of each country or region, not whether a device needs repair. As is clear to persons of ordinary skill in the art, a device may be functioning properly, needing no repair, and still fail to comply with a certain country or region's safety, electromagnetic interference or compatibility standards. Thus, claim 15 is considered to be allowable over Griffin.

Accordingly, it is respectfully requested that the rejection of claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Griffin, be reconsidered and withdrawn.

The rejection of claims 28, 29, and 35 under 35 U.S.C. § 103(a), as being unpatentable over Griffin as applied to claim 27 above, is respectfully traversed based on the following.

As discussed above, claim 27 is considered allowable over Griffin. Claims 28-29 and 35 depend from and contain all the limitations of claim 27. Thus, claims 28-29 and 35 are allowable for at least the same reasons that claim 27 is allowable.

Accordingly, it is respectfully requested that the rejection of claims 28, 29, and 35 under 35 U.S.C. § 103(a) as being unpatentable over Griffin as applied to claim 27 above, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Application No. 09/711,049
Amendment dated September 16, 2004
Reply to Office Action of March 18, 2004

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: _____



Tung T. Nguyen
Registration No. 42,935
Attorney for Applicant

TTN/llb:bar
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3478
Main: (214) 981-3300
Facsimile: (214) 981-3400
September 16, 2004

DAI 307408v3